THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21562 OF 2005

DATED:4.10.2005

Between:

Sri Katari Rama Rao

…Petitioner

And

The Special Officer and Competent Authority

Urban Land Ceiling, Visakhapatnam

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21562 OF 2005

ORDER:

The petitioner is allegedly General Power of Attorney (GPA) holder and Managing Partner of M/s.Sri Udaya Bhanu Associates. He obtained GPA from the legal heirs of one Rama Sarma, who is allegedly the owner of urban vacant land admeasuring 12,705 Sq.yards in Visakhapatnam urban agglomeration. The petitioner made a representation on 2.3.2005 under Section 26(1) of the Urban Land (Ceiling and Regulation) Act, 1976 seeking permission for alienation of the land by the legal heirs of late Rama Sarma in favour of the petitioner. As no orders are passed thereon, present Writ Petition is filed.

Even according to the petitioner, there are nineteen legal heirs, who succeeded to

the vacant land of late Rama Sarma. Admittedly, they did not make any application. The petitioner is agreement and G.P.A. holder. Therefore, law requires the vendors and the vendees of the agreement of sale to approach the Special Officer under Section 26 of the Act. The application made by the petitioner is therefore improper. Liberty is given to the petitioner's vendees to individually make applications, which shall be enquired into by the Special Officer, who is directed to pass appropriate orders within sixty days from the date of receipt of such applications. In this Writ Petition no relief can be granted.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

4.10.2005

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